Programmatic Approaches to Section 106 Compliance

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What NHPA section 106 requires

- **For agency undertakings:**
  - Take into account effects on historic properties
  - Provide ACHP a chance to comment, as specified in 36 CFR Part 800
- **Default path is case by case, step by step**
  - Assess undertaking
  - Identify historic properties
  - Assess adverse effects
  - Resolve adverse effects

Program alternatives

- **Case-by-case not always most efficient/effective way to do 106**
- **ACHP regs provide for "program alternatives"**
- **Common features of program alternatives:**
  - Allow tailored approaches to particular situations
  - Allow tighter meshing of agency processes and 106 compliance
  - Developed in consultation with ACHP and others – not unilateral by agency

Five types per 36 CFR 800.14

- **Programmatic agreement**
- **Program comment**
- **Exemption**
- **Alternate procedures**
- **Standard treatment**

(in descending frequency of use)

Programmatic agreements

- **Governs implementation of particular programs or resolution of complex situations**
- **Frequently used and well understood**
- **Negotiated among agency, S/THPO, maybe ACHP, and other appropriate parties**

When to use

- **When effects are similar/repetitive/multi-state/regional**
- **When effects cannot be predicted before undertaking approval**
- **When nonfederal parties are delegated decisionmaking responsibilities**
- **For routine management actions**
- **When circumstances warrant**

Program comment

- **ACHP comment on a *category of undertakings* in lieu of individual reviews**

- **Process:**
  - Agency proposes program (already well coordinated)
  - ACHP consults with SHPO/THPOs
  - ACHP comments within 45 days
  - Agency executes program as commented on

Two variations so far

- **One-time mitigation**
  - Capehart-Wherry housing (done)
  - Bunkers/ammo plants/unaccompanied personnel housing (in development)
- **Tailored continuing process/mitigation**
  - Navy ships (in development)

Program Comments

Cold War Era Unaccompanied Personnel Housing

World War II and Cold War Era Ammunition Storage Facilities

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November 2, 2006

Program Comments Apply To

- **Ongoing Operations**
- **Maintenance and Repair**
- **Rehabilitation**
- **Renovation**
- **Mothballing**
- **Cessation of Maintenance**
- **New construction**
- **Demolition**
- **Deconstruction and Salvage**
- **Remediation Activities**
- **Transfer, Sale, Lease**
- **Closure**

Cold War Era (1946-1974)
Unaccompanied Personnel Housing (UPH)

Army	2,863
Navy	1,051
Air Force	605
Total	4,524

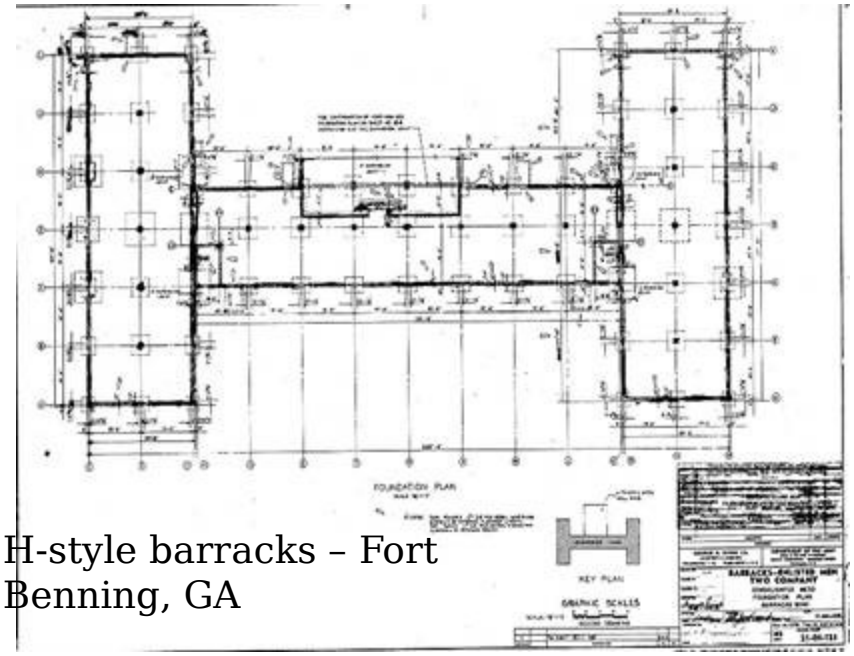
Unaccompanied Personnel Housing

Original barracks

Building 297 (reversed) with VOLAR 74 renovations

Unaccompanied Personnel Housing

H-style barracks – Fort Bliss, TX



H-style barracks – Fort Benning, GA

H-style barracks – Fort

Unaccompanied Personnel Housing Applicability

- Does not apply to the following properties that are listed, or eligible for listing, on the National Register of Historic Places:
  - archeological properties,
  - properties of traditional religious and cultural significance to federally recognized Indian tribes or Native Hawaiian organizations, and/or
  - UPH in listed or eligible National Register of Historic Places districts where the UPH is a contributing element of the district and the proposed undertaking has the potential to adversely affect such historic district.
- Does apply to historic districts that are made up solely of UPH properties.

Unaccompanied Personnel Housing Applicability

- An installation with an existing Section 106 agreement can choose to:
  - continue to follow the stipulations in the existing agreement document for the remaining period of the agreement; or
  - seek to amend the existing agreement document to incorporate, in whole or in part, the terms of this Program Comment; or
  - terminate the existing agreement document, and re-initiate consultation informed by this Program Comment if necessary.
- All future Section 106 agreement documents include appropriate provisions detailing whether and how the terms of this Program Comment apply.

Unaccompanied Personnel Housing
DoD-Wide Mitigation

1. DoD recently completed a draft context study entitled The Built Environment of Cold War Era Service Women. The context study will be available to the Military Departments and the public.

2. DoD and its Military Departments will make copies of all documentation available electronically, to the extent possible under security concerns, and hard copies will be placed in a permanent repository, such as the Center for Military History.

3. DoD will consolidate information from the Navy and Air Force documentation with the context provided by the Army and make it available for public distribution.

4. Each Military Department will provide a list of covered UPH to State Historic Preservation Officers, Tribal Historic Preservation Officers, and other interested parties, as appropriate.

5. All Military Departments will encourage adaptive reuse of UPH properties as well as the use of historic tax credits by private developers under lease arrangements.

6. Military Departments will also incorporate adaptive reuse and preservation principles into master planning documents and activities.

Unaccompanied Personnel Housing
Army Mitigation

1. In 2003, the Army completed a study entitled Unaccompanied Personnel Housing (UPH) During the Cold War (1946-1989).

2. In addition, the Army documented UPH facilities at six Army installations.

3. No additional documentation of the Army's UPH is needed as part of the overall DoD mitigation.

4. The Army will amend Unaccompanied Personnel Housing (UPH) During the Cold War (1946-1989) in order to make it available to a wider audience. Due to security concerns, the distribution of the context study is limited to US Government Agencies Only. The Army will remove the elements of the document that are security risks and then make the context available to DoD for consolidation with information gathered by Navy and Air Force.

Unaccompanied Personnel Housing
Navy Mitigation

1. The Navy will produce a supplemental context study appendix that will be attached as an appendix to the Army's Unaccompanied Personnel Housing (UPH) During the Cold War (1946-1989). The context study appendix will:
   a. explore the post-World War II changing demographics of Navy personnel and its impact on housing needs;
   b. amend, as necessary, and adopt the Army's criteria for evaluating the historic significance of UPH;
   c. consider the importance of major builders, developers and architects that may have been associated with design and construction of UPH; and
   d. describe the inventory of UPH in detail, providing information on the various types of buildings and architectural styles and the quantity of each.

2. The Navy shall document a representative sample of the basic types of UPH.
   a. The Navy will document three geographically dispersed installations.
   b. The Marine Corps will document one installation.

   The sample chosen shall be the best representative examples of the range of UPH types constructed during the Cold War era. This documentation would include collecting existing plans and drawings, writing a historic description in narrative or outline format, and compiling historic photographs of the buildings (similar in scope to the Army's documentation).

Unaccompanied Personnel Housing
Air Force Mitigation

1. The Air Force will produce a supplemental context study appendix that will be attached to the Army's Unaccompanied Personnel Housing (UPH) During the Cold War (1946-1989). The context study appendix will:
   a. Explore the post-World War II changing demographics of Air Force personnel and its impact on housing needs;
   b. amend, as necessary, and adopt the Army's criteria for evaluating the historic significance of UPH;
   c. consider the importance of major builders, developers and architects that may have been associated with design and construction of UPH; and
   d. describe the inventory of UPH in detail, providing information on the various types of buildings and architectural styles and the quantity of each.

2. The Air Force will document three geographically dispersed installations.

Unaccompanied Personnel Housing Mitigation Schedule

Mitigation	Who	Completion Date
Publicly Available Version of Historic Context	Army	February 18, 2007
Develop draft supplemental historic context and documentation of representative samples at select installations	Navy Air Force	November 30, 2007
Complete supplemental historic context and documentation of representative samples at select installations	Navy Air Force	January 31 2008
Make *The Built Environment of Cold War Era Servicewomen* context document available to the public and the Military Departments	DoD	Complete
Make copies of all documentation available as appropriate	DoD	Ongoing
List of Affected Properties to State Historic Preservation Officers	DoD	March 31, 2007

World War II (WWII) and Cold War Era (1939-1974) Ammunition Storage Facilities

	World War II Era (1939-1946)	Cold War Era (1946-1974)	Total
Army	19,409	2,998	22,407
Navy	4,143	965	5,108
Air	263	1,647	1,910

Ammunition Storage Facilities

Ammunition Storage Facilities

Anniston Army Depot

Tooele Army Depot

Ammunition Storage Facilities Applicability

- Does not apply to the following properties that are listed, or eligible for listing, on the National Register of Historic Places:
  - archeological properties,
  - properties of traditional religious and cultural significance to federally recognized Indian tribes or Native Hawaiian organizations, and/or
  - ammunition storage facilities in listed or eligible National Register of Historic Places districts where the ammunition storage facility is a contributing element of the district and the proposed undertaking has the potential to adversely affect such historic district.

- Applies to hi
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Ammunition Storage Facilities Applicability

- An installation with an existing Section 106 agreement can choose to:
  - (i) continue to follow the stipulations in the existing agreement document for the remaining period of the agreement; or
  - (ii) seek to amend the existing agreement document to incorporate, in whole or in part, the terms of this Program Comment; or
  - (iii) terminate the existing agreement document, and re-initiate consultation informed by this Program Comment if necessary.
- All future Section 106 agreement documents shall include appropriate provisions detailing whether and how the terms of this Program Comment apply.

Ammunition Storage Facilities
DoD-Wide Mitigation

1. Copies of the documentation will be made available electronically, to the extent possible under security concerns, and hard copies will be placed in a permanent repository.

2. Each Military Department will provide a list of covered Ammunition Storage Facilities to State Historic Preservation Officers, Tribal Historic Preservation Officers, and other interested parties, as appropriate.

3. All Military Departments will encourage adaptive reuse of the properties as well as the use of historic tax credits by private developers under lease arrangements.

4. Military Departments will also incorporate adaptive reuse and preservation principles into master planning documents and activities.

Ammunition Storage Facilities
Army Mitigation

The Army shall expand and revise its existing context study, Army Ammunition and Explosives Storage in the United States 1775-1945 to include the Cold War Era.

The updated context study will:

- identify the changes in ammunition storage during the Cold War;
- focus on the changes required for ammunition storage due to technological advancement in weaponry;
- consider the importance of major builders, architects or engineers that may have been associated with design and construction of Ammunition Storage Facilities throughout the Army or at specific Army installations; and
- describe the inventory of Ammunition Storage Facilities in detail, providing information on the various types of buildings and architectural styles and the quantity of each.

Ammunition Storage Facilities
Army Mitigation

The Army shall undertake in-depth documentation on Ammunition Storage Facilities at nine installations.

Six geographically dispersed installations contain examples of both aboveground and underground magazines:

- Hawthorne Army Depot, Nevada - early igloos;
- McAlester Army Ammunition Plant, Oklahoma - Corbetta Beehive;
- Pine Bluff Arsenal, Arkansas - biological and chemical igloos;
- Ravenna Army Ammunition Plant, Ohio – standard World War II and aboveground magazines;
- Blue Grass Army Ammunition Plant, Kentucky - standard World War II igloos and aboveground magazines; and
- Louisiana Army Ammunition Plant, Louisiana - Stradley special weapons.

The Army shall document these six as well as three additional installations that possess Cold War Era Ammunition Storage Facilities.

Ammunition Storage Facilities
Navy Mitigation

The Navy will develop a supplemental context study that will be attached as an appendix to the Army's existing context study, Army Ammunition and Explosives Storage in the United States. 1775-1945

This context study appendix will:

- cover both World War II and the Cold War Era, from 1939-1974;
- explore the changes in ammunition storage resulting from World War II;
- examine the changes required for ammunition storage due to technological advancement in weaponry during the Cold War;
- consider the importance of major builders, architects or engineers that may have been associated with design and construction of Ammunition Storage Facilities; and
- describe the inventory of Ammunition Storage Facilities in detail, providing information on the various types of buildings and architectural styles and the quantity of each.

Ammunition Storage Facilities
Navy Mitigation

1. The Navy shall document a representative sample of the basic types of both aboveground and underground ammunition storage facilities.

2. The Navy will choose three geographically dispersed installations with the greatest number and variety of such resources.

3. The Marines will choose one such installation.

4. This documentation will include
   a. collecting existing plans and drawings,
   b. writing a historic description in narrative or outline format, and
   c. compiling existing historic photographs of the structures.

5. Documentation will be tailored to address the different natures of aboveground and underground storage.

Ammunition Storage Facilities
Air Force Mitigation

The Air Force will develop a supplemental context study that will be attached as an appendix to the Army's existing context study, Army Ammunition and Explosives Storage in the United States. 1775-1945.

This context study appendix will:

- cover the Cold War Era, from 1939-1974;
- explore the changes in ammunition storage resulting from the Cold War;
- examine the changes required for ammunition storage due to technological advancement in weaponry during the Cold War;
- consider the importance of major builders, architects or engineers that may have been associated with design and construction of Ammunition Storage Facilities; and
- describe the inventory of Ammunition Storage Facilities in detail, providing information on the various types of buildings and architectural styles and the quantity of each.

The Air Force will not be required to consider its World War II Era facilities. The Air Force was established in September 1947.

Ammunition Storage Facilities
Air Force Mitigation

The Air Force shall document a representative sample of the basic types of both aboveground and underground ammunition storage facilities.

The Air Force will choose three geographically dispersed installations with the greatest number and variety of such resources.

This documentation will include

- collecting existing plans and drawings,
- writing a historic description in narrative or outline format, and
- compiling existing historic photographs of the structures.

Documentation will be tailored to address the different natures of aboveground and underground storage.

Ammunition Storage Facilities Mitigation Schedule

Mitigation	Who	Completion Date
Expanded and Revised Context Study	Army	August 18, 2007
In-Depth Documentation of Ammunition Storage Facilities	Army	February 18, 2008
Develop draft supplemental historic context and documentation of representative samples at select installations	Navy Air Force	November 30, 2007
Complete supplemental historic context and documentation of representative samples at select installations	Navy Air Force	January 31 2008
Make copies of all documentation available as appropriate	DoD Wide	Ongoing
List of Affected Properties to State Historic Preservation Officers	DoD Wide	March 31, 2007
Encourage adaptive reuse, use of historic tax credits with private developers as appropriate, and incorporate preservation principles in master planning documents and activities	DoD Wide	Ongoing

Program Comments

World War II and Cold War Era Army Ammunition Production Facilities and Plant

Lee Foster
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Department of the Army
November 2, 2006

World War II and Cold War Era (1939 -1974) Army Ammunition Production Facilities and Plants

10,933

Buildings, Structures, and Utilities

Army Ammunition Production Facilities and Plants
Applicability

- Applies solely to Facilities and Plants.
- Does not apply to the following properties that are listed, or eligible for listing, on the National Register of Historic Places:
  - archeological properties,
  - properties of traditional religious and cultural significance to federally recognized Indian tribes or Native Hawaiian organizations, and/or
  - Facilities and Plants listed or eligible National Register of Historic Places districts where the ammunition production facility is a contributing element of the district and the proposed undertaking has a potential to adversely affect such historic district.
- Applies to ammunition production related historic districts that are entirely within the boundaries of an ammunition production plant.

Army Ammunition Production Facilities and Plants
Applicability

- An installation with an existing Section 106 agreement can choose to:
  - continue to follow the stipulations in the existing agreement document for the remaining period of the agreement; or
  - seek to amend the existing agreement document to incorporate, in whole or in part, the terms of this Program Comment; or
  - terminate the existing agreement document and re-initiate consultation informed by this Program Comment, if necessary.
- All future Section 106 agreement documents shall include appropriate provisions detailing whether and how the terms of the Program Comment apply to such undertakings.

Army Ammunition Production Facilities and Plants Mitigation

1. The Army has an existing context study, Historic Context for the World War II Ordnance Department's Government-Owned Contractor-Operated (GOCO) Industrial Facilities 1939-1945 as well as documentation of nine World War II GOCO Plants.

2. The Army will prepare a supplemental volume that revises and expands the existing context to include the Cold War Era (1946-1974). The updated context study will:
   a. focus on the changes that the plants underwent to address changing weapons technology and defense needs; and
   b. identify prominent architect-engineer firms that may have designed architecturally significant buildings for Army Ammunition Plants.

3. The Army will prepare documentation that generally comports with the appropriate HABS/HAER standards for documentation for selected architecturally significant Facilities and Plants at two installations.

4. The Army will then make the existing documentation of the nine WWII GOCO Army Ammunition Plants and the WWII GOCO context and the new documentation, to the extent possible under security concerns, available in electronic format to Federal and State agencies that request it.

Army Ammunition Production Facilities and Plants
Mitigation

5. The Army will provide a list of properties covered by the Program Comment to the National Conference of State Historic Preservation Officers and the Advisory Council on Historic Preservation.

6. The Army will also develop additional public information on the Army ammunition process, from production through storage, to include:
   a. a display that can be loaned to one of the Army's museums, such as the Ordnance Museum at Aberdeen Proving Ground, or used at conferences; and
   b. a popular publication on the ammunition process to accompany the display.

   Copies of this information will be available electronically, to the extent possible under security concerns, and hard copies will be placed in a permanent repository, such as the Center for Military History.

7. The Army will encourage adaptive reuse of the properties as well as the use of historic tax credits by private developers under lease arrangements.

8. The Army should also incorporate adaptive reuse and preservation principles into master planning documents and activities.

Army Ammunition Production Facilities and Plants
Mitigation Schedule

Mitigation	Completion Dates
Expanded and Revised Context Study	August 18, 2007
Documentation of Ammunition Production Facilities at Two Installations	February 18, 2008
List of Affected Properties to State Historic Preservation Officers	March 31, 2007
Display on Ammunition	August 18,

Programmatic Approaches to Section 106 Compliance, continued

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November 2, 2006

Ship program comment

- **Most naval vessels have short lives**
- **Donation an option, but donee pool is finite**
- **Program comment would establish:**
  - Documentation protocol for NR-eligible ships
  - Donation if possible
  - Triggers that let us recognize/manage NR-eligible ships during their service lives
  - NR eligibility would have no operational implications
- **Still discussing triggers and need for further study at end of service life**

Exemptions

- **A program or category of undertakings is exempted from further review**
- **Criteria:**
  - Is an undertaking
  - Potential effects foreseeable/minimal or not adverse
  - Consistent with purposes of NHPA
- **Only two so far**
  - Historic natural gas pipelines
  - Interstate highway system

Alternate procedures

- **Agency procedures for implementing Section 106 in lieu of ACHP regulations**
- **Only alternate procedure approved by ACHP is with Army (July 31, 2001)**
- **FEMA procedures in development**

Army Alternate Procedures

- **Alternate procedures replace subpart B of the ACHP regulations -**
  - Initiation of the process
  - Identification and evaluation of historic properties
  - Assessment and resolution of adverse effects
  - Emergencies and unanticipated discoveries
  - Integration of NEPA and NHPA

Army Alternate Procedures

- **Upfront consultation on management plan rather than case-by-case review**
- **Integration of NEPA and NHPA**
- **Projects use Standard Operating Procedures for historic preservation compliance**
- **Requires monitoring and oversight**
- **Provides agency wide exemptions for unexploded and haz-tox situations**
- **Resolution process for stakeholder objections**

Army Alternate Procedures

- **Two Army installations currently approved to operate under alternate procedures**
  - Fort Sam Houston, TX
  - Fort Benning, GA
- **Four installations working toward certification**
  - US Army Garrison - Hawaii
  - US Army Garrison – Alaska
  - Fort Hood, TX
  - Fort Sill, OK

Standard treatments

- **ACHP may establish standard methods for treatment of**
  - A category of historic properties
  - A category of undertakings
  - A category of effects

Navy standard treatment initiative

- **Navy has Legacy project to develop standard procedures**
- **Standard procedures would be spec-level application of Sec Int standards**
  - Current focus is exterior windows, exterior masonry, exterior wood, roofing materials
  - Specs would receive NPS concurrence
  - After ACHP approval, agencies would request program comment on implementation
  - Spec could be then used without further consultation in accordance with program comment terms

Status

- **Conceptual discussions with ACHP/NTHP/NCSHPO – all are intrigued**
- **Contractor just started literature review**
  - Will then work on draft specs for review/comment
  - Also suggest list of possible future specs
- **More to come!**

Summary

- **Program alternatives require thought, work, and coordination, but can provide tighter linkage between agency programs and historic preservation**
- **Still plenty of opportunities to explore**
- **All Program Alternatives information is available on the web at:** https://www.denix.osd.mil/ProgramAlternatives

Programmatic Approaches to Section 106 Compliance

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